

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

THE PEOPLES BANK AND TRUST
COMPANY,

Plaintiff,

v.

DREW LOFSTAD, BROOKE M.
LOFSTAD, and CLYDE LOFSTAD,

Defendants.

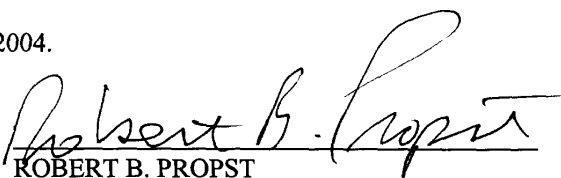
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U.S. DISTRICT COURT
N.D. OF ALABAMA
ENTERED
JUL 22 2004

CIVIL ACTION NO. 04-JEO-0310-S

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation (doc. 20) is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the plaintiffs' motion for summary judgment is due to be granted as to Drew and Brooke Lofstad and denied as to Clyde Lofstad. An appropriate order will be entered.

DONE, this 22nd day of July, 2004.


ROBERT B. PROPST

SENIOR UNITED STATES DISTRICT JUDGE